

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ASKAR SALEH ALI,

Plaintiff,

-v-

ALBERTO R. GONZALES, Attorney General
of the United States, et al.,

Defendants.

06-MC-6013L
ORDER

Petitioner Ali, represented by counsel, seeks relief pursuant to writ of mandamus, alleging that his application for citizenship has been unreasonably delayed, as set forth more precisely in the petition. Petitioner has paid the filing fee.

Preliminarily, the petition contains information inappropriate for filing in un-redacted form. Because all information filed in cases in the Western District of New York is now available over the internet pursuant to the Court's electronic case management protocols, personal information should be redacted. Accordingly, the Clerk of the Court is directed to make the complaint and attached exhibits available in the file in paper copy, and to redact plaintiff's immigration number found on the first and third pages of the complaint before making only the redacted complaint available electronically.

IT HEREBY IS ORDERED as follows:

1. Respondent shall file and serve an **answer** to the petition, no later than **October 16, 2006**. Further, the answer shall state whether any evidentiary proceeding was conducted. If any such proceeding was conducted, the Court hereby directs respondent

to provide to the Court the transcript of the proceeding, together with any record(s) of such proceeding, and such documents will be filed in the official record of this case.

Respondent also shall file and serve by the above date a **memorandum of law** addressing each of the issues raised in the petition and including citations of relevant supporting authority.

Within thirty (30) days of the date this order is served upon the custodian of the records, the Clerk of Court or any other official having custody of the records of the proceedings at issue now before this Court shall submit such records to the respondent or respondent's duly authorized representative.

If petitioner chooses to file a written response to the answer and memorandum of law, he should file the response within sixty (60) days of receipt of the answer.

Within thirty (30) days of the date this order is filed with the Clerk of Court, respondent may file a motion for a more definite statement or a motion to dismiss the petition, accompanied by appropriate exhibits which demonstrate that an answer to the petition is unnecessary. The timely filing of such motion shall extend the time for filing an answer for fourteen (14) days, but the failure of the Court to act upon the motion within that time shall not further extend the time for filing an answer.

2. The Clerk of Court shall serve a copy of the petition, together with a copy of this order, by certified mail, upon the following:

- Secretary, U.S. Department of Homeland Security, Washington, D.C. 20528;

- Director, U.S. Department of Homeland Security, U.S. Citizenship and Immigrations Services, Washington, D.C. 20528;
- Director, U.S. Department of Homeland Security, U.S. Citizenship and Immigrations Services; St. Albans Sub Office, St. Albans Office, 64 Gricebrook Road, St. Albans, VT 05478;
- Attorney General of the United States, Main Justice Building, 10th and Constitution Avenues N.W., Washington, DC 20530;
- United States Attorney for the Western District of New York, United States Attorney's Office, 620 federal Building, 100 State Street, Rochester, NY 14614;

3. The Clerk of the Court is directed to make the complaint and attached exhibits available in the file in paper copy, and to redact plaintiff's immigration number found on the first and third pages of the complaint before making only the redacted complaint available electronically.

SO ORDERED.

DATED:

9/14, 2006
Buffalo, New York



JOHN T. CURTIN
United States District Judge